

Case 1:15-cv-04081-LTS Document 9 Filed 07/29/15 Page 1 of 1

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July 29, 2015

VIA ECF

Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: **LP Funding, LLC v. Tantech Holdings, Ltd., No. 15 Civ. 4081 (LTS) (KNF)**

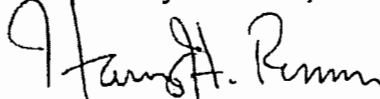
Dear Judge Swain:

We are counsel to defendant Tantech Holdings, Ltd. ("Tantech"). The initial pretrial conference in this case is scheduled for Tuesday, August 4, 2015. Tantech's deadline by which it must respond to the complaint is September 1, 2015. We respectfully submit this letter motion to request an adjournment of the pre-trial conference for approximately 30 days and a corresponding extension of Tantech's time to respond to the complaint by 30 days. Plaintiff's counsel does not oppose the requested adjournment of the conference, but will not agree to any adjournment of the response date.

The requested additional time is necessary because we only recently were retained and require additional time to discuss the case with our client, which is based in China, and to gather and familiarize ourselves with the facts, including those that relate to the subjects outlined in the Court's June 15, 2015 Initial Conference Order, a copy of which plaintiff's counsel forwarded to us today. In addition, defendant's counsel have previously scheduled and pre-paid family vacations in the month of August and the first week of September, and at least one of our client contacts will be traveling in August as well. Finally, in light of this Court's July 20, 2015 Order related to subject matter jurisdiction that directed plaintiff -- by August 3, 2015 -- to serve "a Supplement to the Complaint containing allegations sufficient to demonstrate a basis for subject matter jurisdiction in this Court or otherwise show cause in writing why this case should not be dismissed for lack of subject matter jurisdiction," it remains uncertain if this case even will proceed.

No previous request for any adjournment or any extension has been made.

Respectfully submitted,

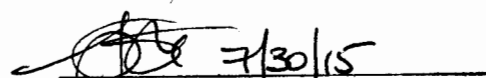


Harry H. Rimm

cc: All Counsel of Record (Via ECF)

The initial pre-trial conference is adjourned to September 18, 2015, at 12:15 PM and the related deadlines are modified accordingly. Defendant's time to respond to the Complaint is extended to September 4, 2015.

SO ORDERED:


7/30/15
HON. LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE